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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/612,899

07/07/2003

Mei-Feng Yen

4326

7590

11/10/2004

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EXAMINER

TSIDULKO, MARK

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 11/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/612,899

Applicant(s)

YEN, MEI-FENG

Examiner

Mark Tsidulko

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2003.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 07 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: detail indicated by reference character [16] (spec., page 2, line 15 and further in spec.) is not *power source*, but is *casing or housing* which discloses a power source which is a *battery* [161].

Appropriate correction is required.

Claim Objections

Claims 1, 9 and 11 are objected to because of the following informalities:

Referring to Claims 1 and 11 a phrase "...isolated **with** said base" should be changed to – *isolated **from** said base*–.

Referring to Claim 9 a phrase "...base and said housing are **of** unity" should be changed to –*base and said housing form the unity*–.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 9-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art presented on Fig.2 of the Instant Application (hereinafter "Prior art") in view of Pichel (US 3,639,751).

Referring to Claims 1, 2, 11, 17, 20 Prior Art discloses (Fig.2 of the Instant Application) a flashlight structure including:

- a base [13] having a conducting point [131] isolated from the base;
- a (LED) [11] disposed on the base and having an anode [111] electrode connecting with the conducting point and a cathode electrode (not indicated by number) connecting with the base;
- a housing [14] including the base;
- a reflector [12] disposed around the light source;
- a power source [161] having a positive terminal connecting to the conducting point [131] and a negative terminal connecting to the base.

Prior Art discloses the instant claimed invention except for heat sink.

Pichel discloses (Fig.3) a thermally dissipative enclosure for high intensity illuminator having a heat sink (housing shell) [10] having a plurality of fins [30] that serve to effectively increase the exterior surface area of the housing shell and thereby enhance the amount of heat dissipation that can be obtained by radiation from the exterior surface to surrounding atmosphere (col.2, lines 52-63).

Referring to Claims 3, 4, 12, 13, 18 and 19 Prior Art discloses (see Specification, page 3, lines 19,20; page 4, line1) that the housing and the casing of the power source are made of aluminum alloy which is heat-conducting and electric-conducting material.

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Referring to Claim 5 Prior Art (Fig.1) discloses a switch [17].

Referring to Claims 9, 10, 14 and 15 Prior Art discloses (Fig.2) that the base and housing form the unity. It is understood that according to the drawing, combination of the base and the housing can be obtained only by metal-injection molding process, using a base with insulating plate as an insertion (core print) in a cavity of the molding matrix.

Referring to Claim 16 Prior Art discloses (Fig.1) that the flashlight includes a cover [15] engaged with the housing and covering the light source.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the heat sink, as taught by Pichel, for the housing of the device shown by Prior Art, in order to enhance the amount of heat dissipation.

Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art and Pichel as applied to claim 1 above, and further in view of Schraefel (US 4,415,954).

Prior Art and Pichel disclose the instant claimed invention except for a holding sleeve.

Schraefel discloses (Fig.3) a flashlight having a holding sleeve [20] made of vinyl (col.2, line 12) which is heat insulating material. The sleeve is used to permit the user to maintain a secure grip on the flashlight. It will be readily understood by those skilled in the art that the secure grip may be made of any heat insulating material well known in the art, including a rubber.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the holding sleeve, as taught by Schraefel, for the device shown by Prior Art, in order to maintain a secure grip on the flashlight.

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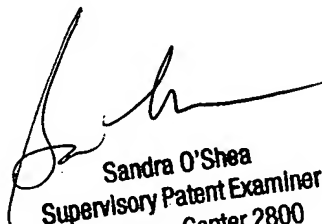
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Tsidulko whose telephone number is (571)272-2384. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.T.
November 4, 2004


Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800

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